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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 SUN LIFE ASSURANCE COMPANY
10 OF CANADA,

11 Plaintiff,

12 v.

13 JENNIFER ARMENTROUT,
14 Administrator of Estate of Robert Wheeler
and KATHLEEN McCOMB

15 Defendants.
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: CIVIL ACTION

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: NO.: 2:19-cv-00364-JLR

17 **STIPULATION AND PROPOSED ORDER TO EXTEND DEADLINE**
18 **TO COMPLY WITH ORDER REGARDING INITIAL DISCLOSURES,**
19 **JOINT STATUS REPORT AND EARLY SETTLEMENT**

20 Plaintiff, Sun Life Assurance Company of Canada and defendant, Kathleen
21 McComb, by and through their undersigned counsel, hereby stipulate and propose the
22 following:

23 WHEREAS, Sun Life initiated this action in interpleader on March 12, 2019 to
24 resolve competing claims to benefits that became due and payable under a Sun Life
25 policy as a result of the death of its insured, Robert Wheeler.

26 STIPULATION AND PROPOSED ORDER TO
EXTEND DEADLINE--1

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Tel. (415) 433-0990

1 WHEREAS, the Court entered an Order Regarding Initial Disclosures and Joint
2 Status Report on April 2, 2019, directing the parties to (i) conduct their FRCP 26(f)
3 conference no later than April 16, 2019; (ii) exchange initial disclosures no later than
4 April 30, 2019 and (iii) submit their combined joint status report and discovery plan no
5 later than May 7, 2019.

6 WHEREAS, Kathleen McComb entered an appearance through counsel and
7 answered the Complaint on March 21, 2019.

8 WHEREAS, Sun Life is attempting to serve the Estate of Robert Wheeler.

9 WHEREAS, the deadline to serve all defendants is June 10, 2019.

10 WHEREAS, Ms. McComb asserted no counterclaim against Sun Life.

11 WHEREAS, Sun Life is a neutral party that will seek leave to deposit the funds at
12 issue into the Court's registry until the dispute between the Estate and Ms. McComb is
13 resolved.

14 WHEREAS, Sun Life will seek only to recover, from the policy proceeds,
15 reasonable fees and costs incurred in this litigation but otherwise asserts no claim to the
16 policy proceeds at issue in this lawsuit and does not intend to seek discovery.

17 WHEREAS, Sun Life will seek immediate discharge from the litigation once the
18 Estate appears and the Court has disposed of Sun Life's fee claim.

19 WHEREAS, the material dispute is between the Estate and Ms. McComb.

20 WHEREAS, the Estate's participation is necessary for (i) any productive
21 discussion of the topics that must be addressed during the FRCP 26 conference and (ii)
22 the preparation of a joint status report and discovery plan.

23 WHEREAS, good cause exists to modify the schedule pursuant to FRCP 26
24 (b)(4).

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26 STIPULATION AND PROPOSED ORDER TO
EXTEND DEADLINE--2

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1 IT IS HEREBY AGREED by and between Sun Life and Ms. McComb, subject to
2 the approval of this Court, that the deadlines established in the Order Regarding Initial
3 Disclosures, Joint Status Report, and Early Settlement are hereby extended, as follows:

4 1. The parties shall conduct their FCRP 26(f) Conference within twenty-one
5 (days) following the first appearance of defendant, Estate of Robert Wheeler;

6 2. The parties shall exchange Initial Disclosures Pursuant to FRCP 26(a)(1)
7 within fourteen (14) days of the FRCP 26(f) conference;

8 3. The parties shall file their Combined Joint Status Report and Discovery
9 Plan as Required by FRCP 26(f) and Local Civil Rule 26(f) within seven (7) days of the
10 deadline to exchange initial disclosures.

11 Dated: April 16, 2019

WILSON, ELSER, MOSKOWITZ, EDELMAN
& DICKER, LLP

12 By: /S/ Robert G. Engel
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Attorneys for Plaintiff
SUN LIFE ASSUR. CO. OF CANADA

21 Dated: April 16, 2019

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26 STIPULATION AND PROPOSED ORDER TO
EXTEND DEADLINE--3

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1 Dated: April 16, 2019

INTERPLEADER LAW, LLC

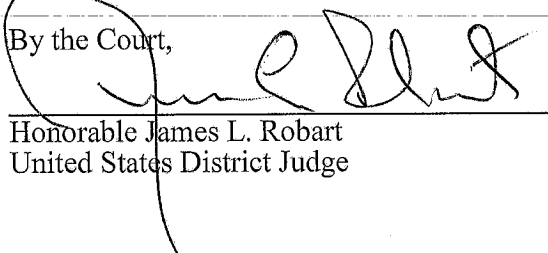
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7
8 Attorneys for Defendant
KATHLEEN McCOMB

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11 Dated: ^uApril 17, 2019

IT IS SO ORDERED.

12 By the Court,

13 
14 Honorable James L. Robart
United States District Judge

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26 STIPULATION AND PROPOSED ORDER TO
EXTEND DEADLINE--4

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